

### **REMARKS**

Claims 13-16 are pending in the application. Claims 13-16 have been added by the present amendment, where these claims correspond to allowed claims in the corresponding Japanese application. Claims 1-12 have been canceled without prejudice. The new claims are fully supported by the specification as originally filed.

An Information Disclosure Statement (IDS) is enclosed herewith, including references cited in the corresponding Japanese application. A Request for Continued Examination (RCE) has been filed herewith to allow consideration of the IDS under 37 CFR §1.97(b)(4).

Applicant's claimed invention is directed to a transmitting/receiving system including a plurality of transmitting/receiving apparatuses; a control means for transferring, due to shut-down of a power source of one of the transmitting/receiving apparatuses, the data stored in the one transmitting/receiving apparatus to another transmitting/receiving apparatus (i.e., a destination transmitting/receiving apparatus); and a control section for arbitrarily setting and registering one or more destination transmitting/receiving apparatuses for receiving the stored data in the event of a power failure (see claims 13 and 14).

For example, in accordance with the Applicant's invention of claim 13, because a plurality of destination transmitting/receiving apparatuses are set and registered in advance, if one of these destination transmitting/receiving apparatuses is shut down (e.g., due to power down at nighttime), a connection can be made via telephone to another of the destination transmitting/receiving apparatuses, thereby ensuring smooth data transfer (see, e.g., pages 26-27 of specification).

Claims 1-12 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,323,987 to Holtz et al. (hereinafter "Holtz"). Claims 1-12 have been canceled by the present amendment in favor of new claims 13-16.

Holtz does not teach or suggest a transmitting/receiving system in which in response to a shut-down of the power source of a transmitting/receiving apparatus, a control means confirms whether data can be transferred to one or more destination transmitting/receiving apparatuses which are set and registered in advance; or where the transmitting/receiving apparatus whose power source is shut down is notified of the destination transmitting/receiving apparatus to which the data has been transferred.

In Holtz, in the event of a power line failure, circuitry 12 signals the CPU 14 that a power failure has occurred (see column 5, lines 17-19), and backup power is supplied by batteries 26 (see column 4, lines 37-44). The CPU 14 signals a timer 20 to begin a timing measurement operation for measuring whether power is reinstated "within an arbitrary length of time (e.g., 30 minutes)" (column 5, lines 21-24). After the 30-minute interval has elapsed, the timer 20 sends a signal to the CPU 14, which dumps RAM data to one of the eight remote terminals 37 (see column 5, lines 29-42).

However, Holtz does not teach or suggest transferring data from a transmitting/receiving apparatus whose power source is shut down to one or more specific destination transmitting/receiving apparatuses which are set and registered in advance, or where the transmitting/receiving apparatus is notified as to which destination transmitting/receiving apparatus the data is transferred.

For at least the above-described reasons, Holtz does not anticipate or otherwise render obvious the Applicant's claimed invention.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

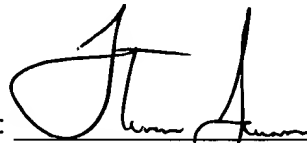
Applicant believes that additional fees are not required for consideration of the within response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. 04-1105.

Respectfully submitted,

EDWARDS & ANGELL, LLP

Date: October 8, 2004

By:

A handwritten signature in black ink, appearing to read 'Steven M. Jensen', written over a horizontal line.

Steven M. Jensen  
(Reg. No. 42,693)

P.O. Box 55874  
Boston, MA 02205

Phone: (617) 439-4444

Customer No. 21874